

**Minutes of the
tiful City Council Me
City Council Chambers
March 24, 2009 - 7:00 p.m.**

Present:	Mayor:	Joe L. Johnson
	Council Members:	Beth Holbrook, John Marc Knight, R. Fred Moss, Scott Myers and Thomas Tolman
	City Manager:	Tom Hardy
	City Attorney	Russell Mahan
	City Engineer:	Paul Rowland
	Administrative Services Dir:	Galen Rasmussen
	Planning Director:	Aric Jensen
	Department Reps:	Allen Johnson, Power Jerry Wilson, Parks
	Recording Secretary	Nancy Lawrence

Official Notice of this meeting had been given by posting a written notice of same and an Agenda at the City Hall and providing copies to the following newspapers of general circulation: Davis County Clipper, Deseret News, and Salt Lake Tribune.

Mayor Johnson called the meeting to order at 7:00 p.m, following which Bridger Johnson (visiting Boy Scout and Mayor Johnson's grandson) led the pledge of allegiance to the flag. Mr. Rasmussen offered the prayer/thought.

APPROVAL OF MINUTES

Minutes of the City Council meeting held March 10, 2009 will be presented for approval at the next regular Council meeting.

EXPENDITURES AND EXPENSES APPROVED

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the following periods, with respective totals: February 26 - March 4, 2009 (\$254,105.32); and March 5 - 11, 2009 (\$99,154.65). Councilman Knight made a motion to accept these two expenditure reports as presented. Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".

YOUTH COUNCIL REPORT

Ashelina Nicholls and Jessica Blackhurst, Youth Council representatives, reported on recent activities of the Youth Council, which included participation in the Leadership Conference at Utah State University. The Bountiful Youth Council placed 3rd in the leadership competition in activities which reflected the program over the entire year. Councilman Knight praised the group for the fine job they are doing. Upcoming events include the annual Bunny Hop (to which Council members were invited to help cook hotdogs). Applications (available at City Hall and on the Web page) are currently being accepted for next year's Youth Council.

PURCHASE REQUESTS OF POWER DEPARTMENT APPROVED

Pineview Flow Metering Equipment. Mr. Johnson reported that the system is having difficulty with the stability of the flow metering equipment at the Pine View Hydro plant, resulting in unstable flows down the penstock. This creates a problem to the Water Users and to Rocky Mountain Power which operates their Pioneer Hydro Plant downstream from the Pine View plant, and it is critical that the problem be corrected. The Power Department staff has consulted with Bingham Engineering who originally designed the plant, and possible solutions were identified. This situation has been reviewed by the Power Commission (who were polled by phone) and it is their recommendation, together with staff, that a new flow metering system be installed. Staff recommends the approval of \$48,931.00 to Accusonic Technologies for this project, to be completed while the Water Users have de-watered the penstock (late March, early April). The equipment is not a budgeted item and will need to be funded from the Emergency Equipment Reserve account. Councilman Moss made a motion to approve this project, as recommended. Councilman Myers seconded the motion and voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.

750 MCM 15kV Underground Cable. Mr. Johnson explained that on March 6, 2009 there was a large power outage in the Chelsea Cove area which necessitated 6,325 feet of underground cable repair. A *portion* of the cable required for the repair was in inventory. An order for 6,325 feet of cable has been placed with Northern Power Equipment in the amount of \$29,790.75. Cable not used for the repair will be returned to inventory. Because the cost of the outage will be significant (approximately \$80,000) and is not budgeted, staff requests permission to fund this expense from the Emergency Equipment Reserve account. The Power Commission has been polled and supports the staff recommendation. Councilman Moss motioned to approve the purchase of the cable, as explained. Councilwoman Holbrook seconded the motion which carried unanimously. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.

Emergency Purchase of Switchgear Approval. The same outage in Chelsea Cove which necessitated the cable purchase also required one PMH-9 15kV live front switch can. There is currently one can in inventory which will be used for the repair and another can has been ordered. However, it is the recommendation of staff and the Power Commission that there be two of these cans in inventory. Bids which were approved on February 11, 2009 are still good, and it is recommended that another can be ordered from HD Supply in the amount of \$16,000.00, to be placed into inventory. Staff requests permission to fund this purchase from the Emergency Equipment Reserve (as explained in the preceding paragraph). Councilman Moss made a motion to approve the purchase of the front switch can, as recommended. Councilman Myers seconded the motion and voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.

BID AWARDED FOR ANNUAL CONCRETE CONSTRUCTION PROJECT

Mr. Rowland reported that bids were opened on March 17th for the annual concrete replacement contract. This contract includes removal and replacement of concrete street improvements like curb, gutter and sidewalk, as well as storm drain improvements and the installation of intersection handicap ramps at various locations throughout the City. Bids were

1 received from eight contractors and it is the recommendation of staff to award the contract to
2 J.M.R. Construction, lowest responsive responsible bidder, at the unit prices proposed, with the
3 following findings:

4 (1) Slippery Rock Contractors (whose bid was lower than J.M.R.) is declared non-
5 responsive because of their failure to “have a satisfactory record of past performance in similar
6 projects”; and failure to “have a history of good public relations, and courteous and professional
7 treatment of the citizens with whom it deals”.

8 (2) J.M.R. is the next “lowest responsive responsible bidder”.
9

10 Councilman Myers motioned to award the annual concrete bid to J.M.R. Construction, as
11 recommended by staff. Councilman Moss seconded the motion which carried unanimously.
12 Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.
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14 **BID FOR WATER LINE CONTRACT APPROVED**

15 Mr. Rowland explained that one of the projects included in the street capital improvement
16 program for summer 2009 is asphalt removal and reconstruction on 1050 North Street from 400
17 East to about 600 East. Ahead of this project the Water Department has scheduled to replace the
18 leak prone 6-inch water line with a new water tight 8-inch line, which was planned to be done
19 under the annual water line replacement contract. Bountiful Irrigation is also replacing all of
20 their lines under the new street because of leak history. This project would normally be part of
21 the annual Water Line Contract which would include all water line replacement projects to be
22 done during the summer. However, because it is early in the season, not all of the plans
23 necessary to bid the projects have been completed, and the annual contract has not been bid.
24

25 M.C. Green is currently contracted by Bountiful Subconservancy to work on their
26 irrigation system (prior to the lines being charged on April 15th). Inasmuch as M.C. Green is on
27 site, they provided a proposal to install the City water line improvements, and being on site will
28 result in less disruption to the neighborhood. The proposal was evaluated against prices paid last
29 year and estimated prices for this year and is considered a fair price. Staff recommends that the
30 City Council accept the proposal of M.C. Green and Sons for the reconstruction of the 1050
31 North water main line in the amount of \$119,350.75. Councilman Knight motioned to accept the
32 proposal as recommended. Councilman Tolman seconded the motion and voting was
33 unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.
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35 **PRELIMINARY AND FINAL COMMERCIAL SITE PLAN**

36 **APPROVED - OFFICE/STORAGE BUILDING AT 220 WEST CENTER ST.**

37 Mr. Jensen reviewed that the request for preliminary and final commercial site plan
38 approval for the proposed small office/storage building of David Cable (220 West Center Street)
39 was presented and discussed in the City Council meeting on March 10th. Action on the request
40 was tabled to permit the Council to see the elevations. Mr. Jensen presented the elevations,
41 noting the effort that had been made to create a pleasing appearance. Councilman Tolman
42 expressed concern that the east end of the building was not attractive, particularly in a residential
43 neighborhood. Mr. Jensen explained that due to the proximity of the contiguous property, Code
44 requires that the wall have a one-hour fire rating which limits the materials that can be used on

1 the east and north side of the building. Mr. Cable was in attendance and stated that he would do
2 what he could, within Code, to help bring the building into harmony with the residential
3 neighborhood. Councilwoman Holbrook made a motion to grant preliminary and final
4 commercial site plan approval, subject to the following conditions:
5

6 (1) Allow a reduction of required setbacks to no more than 0.5 feet from the north and
7 east property lines because a landscape buffer is not needed on those sides, approximately 30%
8 of the site will be in landscaping, and because the public interest is better served by allowing the
9 property owner to create a more viable project.
10

11 (2) The applicant shall provide a landscaping plan meeting staff's approval prior to
12 building permit approval or May 1, 2009, whichever is first.
13

14 (3) The site grading and drainage plan is revised to the satisfaction of City staff.
15

16 (4) A six foot high, solid screening wall shall be constructed along the west property line
17 and a dumpster enclosure of similar materials as the building shall be constructed, as shown on
18 the redline plans.
19

20 Councilman Knight seconded the motion and voting was unanimous. Councilpersons Holbrook,
21 Knight, Moss, Myers, and Tolman voted "aye".
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23 **CONTINUATION OF DISCUSSION RE: GASB 45 - COUNCIL** 24 **VOTES TO CHANGE RETIREE HEALTH CARE BENEFITS**

25 Mr. Hardy reviewed that the Council had discussed retiree health care benefits at the last
26 City Council meeting (March 10, 2009) and action was tabled to permit further study. Based on
27 additional research, it is the recommendation of staff that the Council eliminate the current
28 retiree health care policy effective July 1, 2012, and replace it with a new policy that would
29 convert 50% of qualifying retiree sick leave, up to a maximum of 720 hours, to be placed in a
30 health retirement account (HRA). He noted that not making the change until 2012 will give
31 current employees the opportunity to retire under the existing benefit package, and/or adjust
32 retirement plans. The proposed new policy, while a reduction in benefits from the current policy,
33 would incentivize employees to conserve their sick leave and to work as long as possible.
34

35 Following discussion, Councilman Moss made a motion to change the retiree health care
36 benefits to the proposed policy as outlined by Mr. Hardy. It was noted that the Employee
37 Personnel Policy and Procedure Manual will have to be amended and approved by the Council.
38 Therefore, the Council will have an opportunity to review the exact language of the new policy
39 before it is implemented. Councilwoman Holbrook seconded the motion which carried
40 unanimously. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".
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42 **COUNCIL COMMITTEE REPORTS**

43 As a matter of information to the Council, Mr. Rowland reported that the concrete street
44 work which was done on 200 West north of 400 North has proven to be less than desirable and a

1 lot of spalling has occurred, not only on this street, but around the City. The reason for the
2 spalling was inferior materials used by the contractor, Parsons Ready Mix. Parsons has surveyed
3 the problems in the City and is covering replacement of the inferior concrete without any expense
4 to the City. M. C. Green is doing this work.
5

6 Mr. Hardy reported that March 31st (Tuesday), David Farnes will retire from the Power
7 Department after a 30-year career. An Open House will be held in his honor from 11:00 a.m. to
8 1:00 p.m.
9

10 The Spring Clean-up is scheduled for April 13 - 17. The landfill will be free that week
11 and the following week.
12

13 Mr. Hardy noted that issues raised by a citizen (David Petersen) regarding the area by the
14 "B" are being investigated, and he will prepare a response for Mr. Petersen when all facts are
15 gathered.
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17 The meeting adjourned at 7:55 p.m. on a motion made by Councilman Knight and
18 seconded by Councilman Tolman. Voting was unanimous with Councilpersons Holbrook,
19 Knight, Moss, Myers and Tolman voting "aye".
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JOE L. JOHNSON, Mayor
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29 KIM J. COLEMAN, City Recorder
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